

CRL OP(MD). No.9906 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 27/05/2026

PRESENT

The HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL OP(MD) . No.9906 of 2026

1. Shanmugam
2. Gayathri
3. Gokul

... Petitioners/  
A1 to A3

Vs

State of Tamilnadu Rep By,  
The Inspector of Police,  
District Crime Branch,  
Sivagangai.  
(Crime No.5 of 2026)

... Respondent/  
Complainant

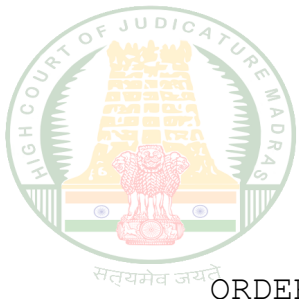
For Petitioner : Poornachandran.S,  
Advocate.

For Respondent : Mr.T.Lenin Kumar  
Counsel for State of Tamil Nadu  
(Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.05 of 2026 on  
the file of the respondent Police.

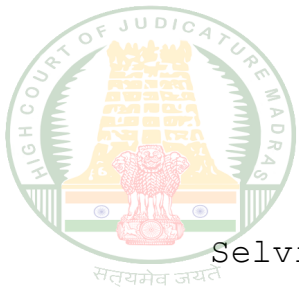


CRL OP(MD), No.9906 of 2026

ORDER : The Court made the following order :-  
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The petitioners/accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 318(4), 336(3) and 340(2) of BNS, in Crime No.5 of 2026, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the property in Survey No.292/3A2, measuring to an extent of 44 ½ cents, situated at Kondhakai Village, Sivagangai District, belongs to the 1<sup>st</sup> petitioner. The 1<sup>st</sup> petitioner divided the said property into 12 plots, in which, 23 feet was shown as road. Out of the said property, 5 cents were sold to one Khadijadul Ghubra and Padma (each 2 ½ cents), from whom, the defacto complainant purchased the said property. The remaining portion of 38 ½ cents was purchased by one Selvi, who is arrayed as A4 on 09.06.2025. One Kani, who is the husband of the said



CRL OP(MD). No.9906 of 2026

Selvi, created the documents, which includes the road shown by the 1<sup>st</sup> petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the 2<sup>nd</sup> and 3<sup>rd</sup> petitioners are wife and son of the 1<sup>st</sup> petitioner and they are innocent persons. They have not committed any offence as alleged by the prosecution.

4. The learned Counsel for State of Tamil Nadu (Crl. Side) appearing for the respondent police would submit that the remaining land is only 35 ½ cents, however, the 1<sup>st</sup> petitioner sold the land to an extent of 38 ½ cents (excess of 3 cents) to the 4<sup>th</sup> accused, for which, a false document has been created by the accused persons. He would further submit that in this case, the investigation is pending and therefore, he opposed to grant anticipatory bail to the petitioners. However, he fairly submits that the 4<sup>th</sup> accused and her husband Kani have been granted anticipatory bail by this Court in Crl.O.P. (MD) No. 9469 of 2026 by order dated 21.05.2026.

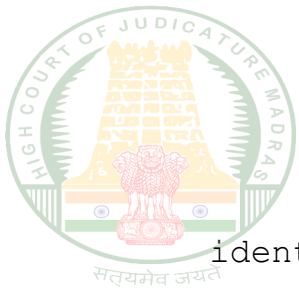


CRL OP(MD), No.9906 of 2026

**WEB COPY** 5.Considering the facts that it is a case of civil dispute between the parties and two other accused have been granted anticipatory bail by this Court in Crl.O.P.(MD)No.9469 of 2026, by order dated 21.05.2026, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivagangai, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

**[a]**the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their



CRL OP(MD), No.9906 of 2026

identity;

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[b]the petitioners shall report before the respondent police, on the first day of every English Calender month at 10.30 a.m. until further orders;

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioners shall not abscond either during investigation or trial;

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS, 2023.

(K M S J)  
27.05.2026

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CRL OP(MD), No.9906 of 2026

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TO

1. The Judicial Magistrate No.II,  
Sivagangai.
2. The Inspector of Police,  
District Crime Branch,  
Sivagangai.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD), No.9906 of 2026

**K.MURALI SHANKAR, J.**

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**CRL OP (MD) No.9906 of 2026**

**27/05/2026**